

MEETINGS TO DATE 23
NO. OF REGULARS 20
NO. OF SPECIALS 3

LANCASTER, NEW YORK
OCTOBER 18, 1976

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 18th day of October, 1976 at 8:00 P.M. and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
JOHN F. LUME, HIGHWAY SUPERINTENDENT

The Supervisor at this time informed those present that originally the Town Board had intended to hold a formal public hearing this evening at 8:00 P.M. to hear all persons for or against a proposed Firearms Ordinance for the Town of Lancaster, however, the legal notice for publication in the official newspaper of the Town, setting forth the proposed ordinance, could not be published in time to hold a formal hearing tonight and a new legal notice, calling for a formal public hearing on this proposed ordinance for Monday, November 1, 1976 at 8:00 P.M., will be published.

The Supervisor informed those present that as long as they are present this evening, the Town Board will hear their informal comments and have the record of their informal comments made a part of the record for the formal public hearing scheduled for November 1, 1976.

The comments were as follows:

Marie Keppner, 1326 Ransom Road

Inquired as to what prompted the Town Board to propose this ordinance and how many complaints relative to endangerment of public safety were received. Also, commented that Town outside Village residents pay for Town-wide recreation but must travel a substantial distance to utilize recreational facilities. Hunting is a recreational sport available to Town outside Village residents in their own backyards at no cost to the taxpayer.

Bud Conrad, 5805 Broadway

Felt that the strict enforcement of present conservation laws would be sufficient to protect the public safety and welfare.

Harry Keppner, 1326 Ransom Road

Indicated he has extensive experience in the field of conservation by virtue of his employment as a conservation officer. Commented that his experience has shown a Firearms Discharge Ordinance is difficult to enforce. He felt that strict enforcement of present conservation laws would be sufficient to protect the public safety and welfare and that hunting is necessary to harvest animals.

Douglas Arthur, 1066 Erie Road

Felt that farmers need to discharge firearms to kill ground hogs and varmints on their property and that hunting is necessary for the harvesting of animals.

Mike Tomaszewski, 60 Laverack Avenue

Felt that firearms are necessary to protect one's personal safety.

Frank Ardino, 44 Brewster Street

Observed that Lancaster is one of the few townships that still is open to hunters. Observed that many hunters have substantial investments in their dogs which they use for hunting. Observed there is insufficient time for the working man to go out hunting after work if he must travel to other townships to enjoy his sport.

Harry Marinelli, 22 W. Home Road

Expressed great concern over the distress that hunters have caused him and his family and the property damage that has resulted from shotgun pellets striking his home. He expressed frustration in his attempts to alleviate this problem under the provisions of the existing State Conservation Law.

Fred Domino, 115 Spohn Drive

Observed that the Town provides recreational facilities for senior citizens and for younger citizens and that the Town should be left open to hunting for the enjoyment of the middle class.

Ed Lawniczak, 30 Steinfeldt Road

Observed that young people cannot learn to shoot and handle a firearm safely if you don't give them a place to participate in this sport.

Bob Rozek, 375 Westwood Road

Indicated that he enjoys hunting, has never heard of or personally known anyone who was hurt, recommends property owners post their property and that present conservation laws be strictly enforced.

Bernard Tomaszewski, 27 Belmont Avenue

Indicated that strict enforcement of present conservation laws would be sufficient to protect the public safety and welfare.

Herbert Frey, Kidder Road

Presented to the Town Board a petition containing approximately 250 signatures indicating opposition to the proposed Firearms Ordinance of the Town of Lancaster.

Mike Martino, 5872 Genesee St.

Felt that the hunting prohibition area was too big in that the Genesee, Stony Road, Harris Hill area still contains many vacant acres of good hunting land which could be utilized.

Charles Seiler, 202 Wayside Drive

Hunts behind his home on Wayside Drive, hunted today, and observed no violations of the Conservation Law.

Ed Lawniczak, 46 Impala Pkwy.

Lives near high school on Impala Pkwy., likes to hunt, feels that people should not hunt in this area near the high school but in correct safe areas.

Milton Lange, 64 Stony Road

Lived on Stony Road for sixteen years and has had no problem of hunters infringing on his rights.

Ronald Kerr, 73 Nichter Road

Indicated that he was a safety instructor for the New York State Dept. of Conservation and indicated that the present emphasis in safety instruction is on attitude and respect for the rights of others.

Lloyd Barker, 101 Erie Street

Observed that Erie Street is not a heavily populated, congested area and open lands and acreage should remain free to hunters.

Thomas Rudz, 200 Pavement Road

Felt that the Town would lose revenue from the sale of hunting licenses and dog licenses in the event that the Town was closed to hunters.

Thomas Ibowicz, 515 Erie Street

Inquired into what causes more concern; the discharge of shot-guns or rifles.

Gerald Krupka, 675 Erie Street

Indicated that he has hunted for nineteen years and he feels that the strict enforcement of present conservation laws would be sufficient to protect the public safety and welfare.

Ron Krebs, 9 Highland Avenue

Observed that many hunters are trappers and need handguns to quickly dispatch trapped animals.

Paul Hiebler, 342 Schwartz Road

Felt that hunting is necessary for the harvesting of animals. Expressed great concern over the damage animals would do if they were not periodically harvested by hunters.

BID OPENINGS AND PUBLIC HEARINGS:

None

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	September, 1976
Police Department	July, 1976
Dog Warden	September, 1976

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Environmental Conservation Commission	March 10, April 29, May 12, June 9, July 14, September 5, and September 8, 1976
Planning Board	Meeting #15 - September 15, 1976

COMMITTEE REPORTS:

None

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held on October 4, 1976, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

duly

The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Town of Lancaster has experienced increased incidents and complaints of indiscriminate and dangerous discharging of firearms within the Town of Lancaster, creating possible loss of life or injury to residents of the Town of Lancaster, it is deemed in the public interest that an Ordinance be enacted, to be Chapter 19, Firearms, of the Code of the Town of Lancaster, County of Erie, New York, to provide for a greater measure of public safety,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution duly adopted on October 4, 1976, by the Town Board, setting a Public Hearing on said Ordinance for October 18, 1976, be and hereby is rescinded, and

BE IT FURTHER

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed Town Ordinance, to be Chapter 19, Firearms, of the Code of the Town of Lancaster, County of Erie, New York, will be held on the 1st day of November, 1976, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the time and place of such hearing and copy of the proposed Ordinance be published in the Lancaster Enterprise-Journal and be posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution adopted by the Town Board of the Town of Lancaster on October 18, 1976, the said Town Board will hold a public hearing on the enactment of a proposed Ordinance to be Chapter 19, Firearms, of the Code of the Town of Lancaster, County of Erie, New York, on the 1st day of November, 1976, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons for or against the adoption of said proposed Ordinance, which shall read as follows:

CHAPTER 19

FIREARMS

- Sec. 19-1. Title
- Sec. 19-2. Prohibitions
- Sec. 19-3. Exceptions
- Sec. 19-4. Posting of Notice
- Sec. 19-5. Penalties for Offenses
- Sec. 19-6. When Effective
- Sec. 19-7. Validity and Separability

Sec. 19-1. TITLE

This ordinance shall be known as the "Firearms Ordinance of the Town of Lancaster".

Sec. 19-2. PROHIBITIONS

- A. It shall hereafter be unlawful for any person, firm, corporation or association to use or discharge, or permit to be used and/or discharged, any shotgun, revolver, pistol, rifle, spring gun, air gun, long bow, sling shot, machinegun or cannon, except in the lawful protection of person or property, within the following areas of the Town of Lancaster bounded and described as follows:

1. On the north by a line described as follows:

Commencing at the intersection of the north line of the Town of Lancaster and the east line of Transit Road; running thence easterly along the north line of the Town of Lancaster to a point 1000 feet east of the east line of Harris Hill Road; running thence south along a line 1000 feet east of Harris Hill Road and parallel to the east line of Harris Hill Road to the south line of the New York State Thruway; running thence easterly along the south line of the New York State Thruway to a point in said south line of the New York State Thruway 1000 feet east of the east line of Stony Road extended.

2. On the west by a line described as follows:

Commencing at the point of intersection of the north line of the Town of Lancaster and the east line of Transit Road; running thence south to the north line of the Village of Depew.

3. On the south by a line described as follows:

Commencing at the north line of the Village of Depew and the east line of Transit Road and running easterly, southerly, easterly, southerly, easterly and southerly along the north and east boundaries of the Village of Depew to a point in the north line of Walden Avenue 113.4 feet more or less from the west line of Belmont Street and thence easterly along the north line of Walden Avenue to a point 1000 feet east of the east line of Stony Road.

4. On the east by a line described as follows:

Commencing at a point in the north line of Walden Avenue 1000 feet east of the east line of Stony Road; running thence north parallel to the east line of Stony Road to the south line of the New York State Thruway.

- B. It shall be unlawful for any firm, corporation, or association to use or discharge, or permit to be used and/or discharged, a rifle of any caliber, except in the lawful protection of person or property, within the boundaries of the entire Town of Lancaster outside incorporated Villages therein.

Section 19-3. EXCEPTIONS

The provisions of this ordinance shall not apply to:

1. Any peace officer while engaged in carrying out his duties.
2. The regulated use of a pistol, rifle or target range operated and maintained by any duly organized membership corporation.
3. Programs conducted by public schools offering instruction and training in the use of firearms or long-bow.

Section 19-4. POSTING OF NOTICE

Signs giving notice prohibiting the discharge of firearms in the areas described in Paragraphs A and B of Section 19-2 of this chapter shall be posted by the Town of Lancaster Police Department along each major highway at the entrance to that area.

Section 19-5. PENALTIES FOR OFFENSES

Any violation of this ordinance is hereby declared to be an offense punishable as follows:

- A. For a first conviction, by a fine of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).
- B. For a second conviction within five (5) years of a previous conviction by a fine of not less than fifty dollars (\$50) nor more than one hundred fifty dollars (\$150).
- C. For a third or subsequent conviction within five (5) years of the first two (2) or more previous convictions, by a fine of not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) or by imprisonment for not less than thirty (30) days nor more than three (3) months.

Section 19-6. WHEN EFFECTIVE

This ordinance shall take effect immediately.

Section 19-7. VALIDITY AND SEPARABILITY

In the event that any section, subdivision, paragraph or provision of this ordinance shall be adjudged to be invalid, such adjudication shall apply only to such portion thereof so expressly adjudged invalid, and the remainder of this ordinance shall be deemed to be in all respects valid and effective.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

Dated: October 18, 1976

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, a vacancy exists on the Board of the Town of Lancaster Youth
Bureau due to the resignation of Father Lauffenberger, and

WHEREAS, the Executive Director of said Board has recommended the
appointment of an individual to fill said vacancy,

NOW, THEREFORE, BE IT

RESOLVED, that George Brown, 29 Parkside Drive, Lancaster, New York,
be and hereby is appointed a member of the Board of the Town of Lancaster
Youth Bureau for the term October 19, 1976 to May 31, 1978.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster is about to make application to the Federal Government, under the Local Public Works Capital Development and Investment Program of 1976, for the following projects:

Renovate existing Town Hall and Opera
House and work related thereto
and
Construction of a Public Works Garage

and

WHEREAS, it is in the public interest that the Town Board hold a Public Information Hearing on said projects in the Town Board's request for 100% Federal financing of said projects,

NOW, THEREFORE, BE IT

RESOLVED, that a Public Information Hearing on the proposed application of the Town Board for 100% Federal Financing for two projects under the Local Public Works Capital Development and Investment Program of 1976 will be held on the 25th day of October, 1976, at 7:30 P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the time and place of such Hearing be published in the Lancaster Enterprise Journal and be posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC INFORMATION HEARING
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lancaster will hold a Public Information Hearing concerning projects which are being applied for under the Local Public Works Capital Development and Investment Program of 1976. The following Projects are being considered by the Town Board of the Town of Lancaster in this request for 100% financing:

Renovate existing Town Hall and Opera
House and work related thereto
and
Construction of a Public Works Garage

This Public Information Conference will be held at 7:30 o'clock P.M., Local Time, on the 25th day of October, 1976, at the Town Hall, 21 Central Avenue, Lancaster, New York.

A brief discussion of the proposed projects will be held and questions may be addressed to the Board either in writing or verbally at that time.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

Dated: October 18, 1976

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Millgrove Volunteer Fire Company, Inc., by letter
dated October 8, 1976 has requested confirmation of one (1) new member
duly elected to the Membership of the Millgrove Volunteer Fire Company, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the membership of the following individual in the Millgrove
Volunteer Fire Company, Inc.:

Frank Michael Grabp
6411 Genesee Street
Lancaster, NY 14086

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~that~~
The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, the Congress of the United States has, in the Highway Safety Act of 1973, declared it to be in the national interest for Federal funds to be expended for a "Safer Roads Demonstration Program" as defined in Section 230 of such Act (Sec. 405, Title 23, U.S.C.), and

WHEREAS, the Act provides for the apportionment of Federal-aid funds to the State for the purpose of carrying out the above-identified projects, and

WHEREAS, such Act authorizes the State to enter into a formal agreement for such construction with the appropriate local officials of the municipality in which such project is located, and

WHEREAS, it is in the public interest for reasons of public safety that the Town of Lancaster undertake the Safer Roads Demonstration Program, in which the New York State Department of Transportation is interested and concurs, involving erection of uniform signs on Town roads, at a construction cost of \$10,785.68, of which the Town of Lancaster's share is \$1,186.42, and in consideration of the mutual benefits to each of the parties,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an Agreement with the State of New York on behalf of the Town of Lancaster for said Safer Roads Demonstration Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~xxx~~

The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, by resolution of January 19, 1976, the Town Board of the Town of Lancaster authorized the Supervisor to execute the 1976 cooperation agreement with Erie County, pursuant to the Housing and Community Development Act of 1974, and such other forms and applications as requested by the Department of Housing and Urban Development as may be required for the furtherance of the purposes of said resolution, and

WHEREAS, by letter of October 4, 1976, copy of which is on file with the Town Clerk of the Town of Lancaster, the County of Erie has submitted a supplemental Agreement for the year of 1976, which supplemental agreement increases the allowable Project Costs,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and hereby is authorized and directed to execute said supplemental cooperation agreement for the year 1976 pursuant to the Housing and Community Development Act of 1974.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~xdexby~~
The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has determined that it is in the public interest to make application to the Federal Government for two public projects under the Local Public Works Capital Development and Investment Program, and

WHEREAS, the Town Board has heretofore retained Krehbiel-Guay-Rugg-Hall to develop plans for said projects,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute separate agreements by and between the Town of Lancaster and Krehbiel-Guay-Rugg-Hall, which agreements have been reviewed by the Town Board, approved by the Town Attorney and are on file with the Town Clerk, for the following projects:

1. Town Hall Renovation and Opera House
2. Public Works Garage

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~xxx~~
The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the
public interest that Policy and Procedures for Employee Health Benefits be
adopted for Town of Lancaster employees, and

WHEREAS, intensive review of past policy has been made by the Town
Board and decision made as to a fair and equitable system covering such Policy
and Procedures has been reached,

NOW, THEREFORE, BE IT

RESOLVED, that said Policy and Procedures for Employee Health
Benefits be and hereby is adopted effective January 1, 1977, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized and directed
to furnish a copy of said Policy and Procedures for Employee Health Benefits to
all Town of Lancaster employees affected by said Policy and Procedures.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~xxx~~
The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT: '

WHEREAS, the Organization of Public Employer Negotiators will
hold an Annual Workshop in the Town of Cheektowaga on October 29, 1976,
which Workshop will be of benefit to certain officials of the Town of
Lancaster in administering labor negotiations in the public sector,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and the Town Attorney be and are
hereby authorized to attend the Annual Workshop of the Organization of
Public Employer Negotiators in Cheektowaga, New York, on October 29, 1976,
at a cost of \$30.00 per person.

The question of the adoption of the foregoing resolution was
duly put a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT: "

WHEREAS, the Town Board of the Town of Lancaster has determined that it is in the public interest to make application to the Federal Government for two public projects under the Local Public Works Capital Development and Investment Program, which projects are described as follows:

1. Town Hall Renovation and Opera House
2. Public Works Garage

and

WHEREAS, the Engineers have been retained and plans developed for said projects consistent with Federal regulations relative thereto, and

WHEREAS, the Town Engineers have been heretofore directed and are finalizing separate applications for said projects,

NOW, THEREFORE, BE IT

RESOLVED, that the responsible Town Officials provide the necessary documents to assist the Engineers in completing the applications for public works funded under the Local Public Works Capital Development and Investment Program applications and that the Supervisor, as Chief Executive Officer of the Town of Lancaster, be and hereby is authorized and directed to execute the required applications and all necessary exhibits relative to the aforementioned projects.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~debyx~~
The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following transfer within the General Fund of
the Town of Lancaster be and hereby is effected:

	<u>Account</u>	<u>To</u> <u>Amount</u>	<u>From</u> <u>Account</u>	<u>Amount</u>
Shade Trees, Contractural Expense	8560.4	\$ 625.00		
Employees Benefits, State Retirement			9010.8	\$ 625.00

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

~~xxx~~
The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN BOLENDER , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
 ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 4196 to 4229 Incl.	\$ 31,448.16
Special District Funds	No. 172 to 173 Incl.	\$ 6,308.07
Part Town Funds	No. 352 to 357 Incl.	\$ 64,236.03
Highway Funds	No. 1004 to 1014 Incl.	\$ 29,380.96
Trust & Agency Funds	No. 145 to 147 Incl.	\$ 425.00
Federal Revenue Sharing	No. 430 to 439 Incl.	\$ 2,372.29
Capital Funds	No. 239 to 242 Incl.	\$2,015,000.00

The question of the adoption of the foregoing resolution was
 duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
 COUNCILMAN BERENT VOTED YES
 COUNCILMAN BOLENDER VOTED YES
 SUPERVISOR KEYSA VOTED YES
 COUNCILMAN METZ VOTED YES

~~***~~

The resolution was thereupon unanimously adopted.

October 18, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN METZ , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be
 and are hereby approved and the issuance of Building Permits be and are
 hereby authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
103	Philip Bulera	3610 Bowen Road	ER. SIN. DWLG.
104	Canieo J. D'Agostino	6024 Genesee	EXT. RE-FOUND. FR. PVT. GARAGE
105	Garrett Bock	22 Evergreen	ER. FR. BRICK VEN. SIN. DWLG. PVT. GARAGE
106	Dennis Richards	3736 Walden	ER. CON. BLK. SHOP
107	Richard Bender	202 N. Maple	ER. FR. STORAGE BLDG.
108	Charles Kolb	5929 Broadway	ER. SHED

The question of the adoption of the foregoing resolution was
 duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
 COUNCILMAN BERENT VOTED YES
 COUNCILMAN BOLENDER VOTED YES
 SUPERVISOR KEYSA VOTED YES
 COUNCILMAN METZ VOTED YES

~~clerk~~
 The resolution was thereupon unanimously adopted.

October 18, 1976

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, a 55 mile per hour speed limit is presently in effect on Lake Avenue in the Town of Lancaster from William Street south to the dead end terminus of this highway, and

WHEREAS, the Police and Safety Committee of the Town Board of the Town of Lancaster deems it in the public interest that a survey and evaluation of the existing 55 mile per hour speed limit be made

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby requests the New York State Department of Transportation to survey and evaluate the existing 55 mile per hour speed limit on Lake Avenue in the Town of Lancaster from William Street south to the dead end terminus of this highway, with a view towards lowering the speed at which vehicles may proceed, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized and directed to complete and execute Form TE 9 (1/68) and forward it to the Erie County Department of Public Works; Division of Highways, with a request that the County of Erie join with the Town of Lancaster in this request.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

October 18, 1976

Councilman Metz requested a suspension of the necessary rule
for immediate consideration of the following resolution - SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has reviewed the
report of William Todaro, Medical Entomologist, concerning the extent of the
Mosquito Surveillance and Control Program carried out in 1976, and

WHEREAS, a continuation of this program, particularly to control
any possible outbreak of encephalitis, is a matter of deep concern to the
residents of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster memorialize
Dr. John T. Gentry, Commissioner of the Erie County Health Department, the
Erie County Executive and the Erie County Legislature to fund and continue the
Mosquito Surveillance and Control Program, particularly in the Town of Lancaster,
in order to control the threat of mosquito borne diseases. and that the Town
Clerk forward a certified copy of this resolution to the above referenced
Dr. Gentry, Erie County Executive and Erie County Legislature.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~dox~~

The resolution was thereupon unanimously adopted.

October 18, 1976

STATUS REPORT ON UNFINISHED BUSINESS:

1. Rezone Petition, Broadway Steinfeldt Inc.
On August 31, 1976, this rezone petition was amended by the petitioner and presented to the Town Board, and referred to the Planning Board for review and report.
2. Rezone Petition, Guenther H. and Eva G. Burkhardt
On August 16, 1976, this matter was presented to the Town Board and referred to the Planning Board for review and report.
3. Subdivision Approval, Josela Enterprises, "Countryside Subdivision"
On February 6, 1976, the Planning Board granted a preliminary approval to the subdivider for this subdivision. The subdivider must now proceed with Step 5 of "Steps for Control of Land Subdivision" and proceed with the preparation of a final plat.
4. Subdivision Approval, Lancaster Industrial Park
On August 16, 1976, this matter was presented to the Town Board and referred to the Planning Board, Town Engineers, and Planning Consultant for review and report.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mrs. Edith Fuldauer asked the Board to try and get bus service for Lancaster on Sundays. The Supervisor said he would look into the matter.

Mr. Paul Stephan informed the Board that the Lancaster Town Center's identification sign at the southwest corner of Pavement Road and Genesee Street obstructs the field of view for trucks entering Genesee Street from Pavement Road and asked that the sign be moved. The Town Clerk was directed to bring this matter to the attention of the Chief of Police.

COMMUNICATIONS:

DISPOSITION

549. Police Chief to Town Board -
Request that monies for ambulances,
Youth Bureau station wagon gasoline
from Police pump and tank be trans-
ferred from their respective accounts
to account #3120.431.
550. Copy of letter from Fire Chief,
Bowmansville Vol. Fire Assn. to County
Executive requesting the County to render
as fine a job as the Town has regarding
snow removal.
551. Copy of memo from N.Y.S. Parks and
Recreation to Bob Kesil giving notice that
the archeological survey will take place
during the initial construction phase of
Walden Pond Park.
552. Ex. Dir., Youth Bureau to Supervisor -
Recommendation that George Brown
replace Father Lauffenberger on the
Lancaster Youth Board.
553. County Executive to Supervisor -
Notification that the Town is authorized
to request funds for its 1976 Community
Development projects.
554. Copy of letter from Div. of Planning, Erie
County, to Supervisors enclosing a formal
notice indicating bids for contracts on
1976 CD projects may begin.
555. Copy of a Public Notice from the N.Y.S.
Public Service Comm. giving notice of a
public hearing to be held 11/15/76 in
New York regarding petition of NYDEG for
authority to conduct a gas exploration and
development program, to fund such a program
through a gas rate surcharge.
556. Copy of the Planning Board Minutes
for Meeting #15 held 9/15/76.
557. Copy of the September, 1976 Report of
the Dog Warden.
558. Fire Chief, Twin District Vol. Fire Co.,
Inc. to Town Board -
Request action on problems existing with
hydrants at Townedge Apartment Complex.
559. Copy of the September, 1976 Report of
the Town Clerk.
560. Chairman, Youth Board to Town Board -
Request considerable thought be given
before entering into an agreement with
Lancaster Village to operate and maintain
recreational facilities.
561. Supervisor to Town Board -
Notification of investment of funds in
the amounts of \$150,000. and \$100,000.
with dollar earnings of \$1,378.13 and
\$1,122.92.

Supervisor

Youth Bureau

Ambulance Board

R & F

Recreation Comm.

R & F

R & F

R & F

R & F

R & F

R & F

Engineers

R & F

R & F

R & F

COMMUNICATIONS CONT'D.:

DISPOSITION

- | | |
|--|--|
| 562. Copy of letter from Supervisor to Mr. Littlefield, Member, Zoning Board of Appeals giving notice that there is a policy established that employment past 70 for non-elected officials would not be extended. | <u>R & F</u> |
| 563. Copy of a memo from the Buffalo Chamber of Commerce to all Township Supervisors in regards to two new laws passed by the 1976 State Legislature which offer an inducement to industry considering location in New York State. | <u>R & F</u> |
| 564. Copy of letter from County Comm. of Health regarding certification of private sewage and water systems prior to Property Title Transfer. | <u>Engineers</u>
<u>Highway Supt.</u>
<u>Building Supt.</u> |
| 565. Copy of letter from Pres., Assn. of Erie County Governments to Chairman, Erie County Legislature requesting a meeting with the Assn's voting membership and the County Legislature to discuss the 1977 County Budget. | <u>R & F</u> |
| 566. Lancaster Village Attorney to Town Clerk - Notification of a public hearing to be held 10/27/76 at 7:00 P.M. in the Municipal Building regarding Proposed Modification of Village of Lancaster Zoning Map. | <u>Supervisor</u>
<u>Town Att'y reported</u>
<u>that he represents</u>
<u>the petitioner in</u>
<u>this matter before</u>
<u>the Village Board.</u> |
| 567. Copy of a Notice of a Public Hearing to be held 10/27/76 at 7:00 P.M. in the Municipal Building regarding Proposed Modification of Village of Lancaster Zoning Map. | <u>R & F</u> |
| 568. Town Clerk to Town Board - Resume of actions taken in response to directions and resolutions of the Town Board meeting of 10/4/76. | <u>R & F</u> |
| 569. Dir. of Recreation and Chairman, Rec. Comm. to Town Board - Request transfer of funds from Acct. #7020.100 to 7020.400 and Acct. #7140.100 to 7140.400. | <u>Supervisor</u> |
| 570. Joseph Warmus to Town Board - Notification of opposition to proposed Firearms Ordinance. | <u>R & F</u>
<u>Public Hearing</u> |
| 571. Secretary, Millgrove Vol. Fire Co., Inc. to Town Clerk - Recommendation that Frank M. Grabp be added to active membership list. | <u>R & F</u> |
| 572. Town Engineers to Town Board - Transmittal of contracts regarding the Public Works Program to be signed and returned. | <u>R & F</u> |
| 573. Comm., N.Y.S. Dept. of Environmental Conservation to Supervisor - Transmittal of guidelines to requirements for solar hearing. | <u>Engineers</u>
<u>Planning Board</u> |

COMMUNICATIONS CONT'D.:

DISPOSITION

- | | |
|---|---------------------------------|
| 574. Copy of letter from Comm. and Chief, Bureau of Water Resources, County Dept. of Environmental Quality to Josela Enterprises listing no objection to full occupancy of first four buildings and use of one additional building. | R & F |
| 575. County Comm. of Health to Town Board - Transmittal of Proposed Amended Policy regarding Corrections of Individual Sewage Disposal Systems in Sewer Dist. with request for suggestions. | R & F |
| 576. Dir., Transportation Planning Group to Supervisor - Request that they will assist the Town in posting signs in regards to Chapter 948, "Right Turn on Red Signal", Laws of N.Y.S. of 1976. | Highway Supt.
Police Chief |
| 577. Town Engineer to Supervisor - Notification that site has been selected for Highway Garage and an agreement is being transmitted for the above work. | R & F |
| 578. Town Engineer to Town Board - Notification that an agreement is being sent authorizing the Town Engineers' work in regards to the renovation of Town Hall and the restoration of the Opera House. | R & F |
| 579. Copy of the July, 1976 Report of the Police Chief. | R & F |
| 580. Copies of the Environ. Conservation Comm. Minutes for meetings held 3/10; 4/29; 5/12; 6/9; 7/14; 9/5 and 9/8/76. | R & F |
| 581. Erie County Mosquito Control Program to Supervisor - Transmittal of report on mosquito control with request that the Town write in support of this program to the County Health Comm. | R & F
Sewer & Drainage Comm. |
| 582. Copy of letter from Reg. Dir. for Disaster Assist., HUD to Deputy Dir. for Civil Defense approving an extension until 11/19/76 with regards to Town of Lancaster. | R & F |
| 583. Alfred F. Reigle to Town Board - Notification of opposition to the proposed Firearms Ordinance. | R & F
Public Hearing |
| 584. Sheila Scroger to Town Board - Transmittal of petition asking for reduced speed limit for South Lake Avenue. | Police Chief
Town Clerk |
| 585. Dir., Project Devel. Bureau, N.Y.S. Dept. of Trans. to Supervisor - Notification of Railroad Abandonment. | R & F |

COMMUNICATIONS CONT'D.:

551
DISPOSITION

586. Copy of letter from Supervisor to
Dir., Project Devel. Bureau, N.Y.S.
Dept. of Trans. expressing interest
in obtaining Reference No. 10, Lancaster
Spur, with regards to railroad abandonment.

Supervisor

587. Copy of letter from Supervisor to Corres.
Sec'y, Lancaster Women's Civic Club giving
notice that assurance has been received
from Chair. Gallagher that \$92,733 will be
earmarked for the Lancaster and Depew branch
libraries and that the club should contact
various County Legislators to make their
feelings known.

R & F

588. Supervisor to Town Board -
Notification that permission has been
given to W. Grant to take the ambulance
to Columbus, Ohio for repairs at no
expense to the Town.

R & F.

ADJOURNMENT:

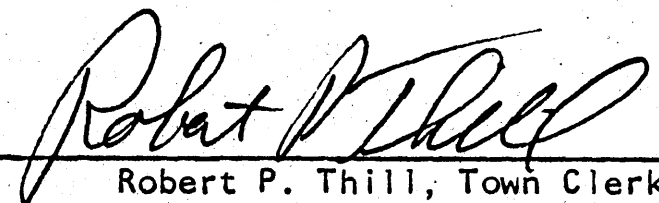
ON MOTION OF COUNCILMAN BOLENDER, AND SECONDED BY THE ENTIRE
TOWN BOARD AND CARRIED, the meeting was adjourned at 10:30 P.M. out of
respect to:

Leon Over

Veronica M. Haungs

Florence Daigler

Signed


Robert P. Thill, Town Clerk